

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,  
Plaintiff,

v.

TERRY D. GRIFFITH,  
Defendant.

No. CR-04-257-FVS

ORDER

**THE DEFENDANT** having been sentenced to a term of 57 months imprisonment on August 2, 2005; the District Court Executive having entered judgment on the same day; the defendant having filed a notice of appeal on August 12, 2005; the defendant having filed a motion to withdraw his guilty plea on January 18, 2006, Fed.R.Crim.P. 11(d); and the Court having determined it lacks jurisdiction to consider the defendant's motion, Fed.R.Crim.P. 11(e) ("[a]fter the court imposes sentence, the defendant may not withdraw a plea of guilty . . . , and the plea may be set aside only on direct appeal or collateral attack"); Now, therefore

**IT IS HEREBY ORDERED:**

The "Defendant's Motion to Withdraw Guilty Plea" (Ct. Rec. 57) is denied for lack of jurisdiction.

1       **IT IS SO ORDERED.** The District Court Executive is hereby  
2 directed to enter this order and furnish copies to the defendant and  
3 to counsel for the parties.

4       **DATED** this 20th day of January, 2006.

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6                               s/ Fred Van Sickle  
7                               Fred Van Sickle  
8                               United States District Judge  
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